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May 16, 2022

Via Federal Express

National FOIA Office
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2310A)
Washington, DC 20460

Re: Freedom Of Information Act Request

Dear Sir or Madam:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, on behalf of Denka Performance Elastomer LLC ("DPE"), we respectfully request copies of the documents described below. For the convenience of the FOIA office, please note that this FOIA request seeks additional documents related to the subject of FOIA # EPA 2022-004107.

These documents are being requested for commercial use. We agree to pay all fees chargeable under the regulations, 40 C.F.R. part 2, for locating, reviewing, reproducing, and mailing the requested documents. If such fees exceed \$1,000.00, please call me at 504-582-8139 before proceeding further with this request.

This request does not include information that is otherwise publicly available. To the extent that a responsive document contains exempt information, we request that you provide a redacted version of the document.

For purposes of this request, (a) the term "document" means all written or recorded material of any kind or character in your possession, custody, or subject to your control or within your knowledge, including without limitation documents, statements, letters, correspondence, papers, memoranda, notes, records, reports, studies, interoffice communications, calendar and diary entries, microfilm, microfiche, bulletins, electronic mail, circulars, pamphlets, messages, text messages, invoices, maps, charts, tabulations, summaries or abstracts, tape or digital recordings, work sheets, calendar entries, any notes or writings pertaining to any meetings or oral or telephone communications, surveys, graphs, statistics, tables, computer print-outs, photographs, rules,

regulations, opinions, orders, directives, interpretations, procedures, guidelines, manuals, and all other documentary material (including material transmitted and/or stored electronically), including non-identical copies (whether different from the original because of any alterations, notes, comments, or other material contained thereon or attached thereto or otherwise, and whether a draft or final version); (b) the term "relate to" and its cognates means to make a statement about, set forth, refer to, discuss, describe, reflect, identify, deal with, consist of, explain, comprise, or in any way pertain in whole or in part, directly or indirectly, to the subject; and (c) the terms "Environmental Protection Agency" or "EPA" refer to all offices of the U.S. Environmental Protection Agency, including all Regional Offices.

In connection with EPA's decision to deny the Request for Correction submitted to the Information Quality Guidelines Staff of the EPA on July 15, 2021, by Patrick A. Walsh on behalf of DPE (assigned RFC 21005 for tracking purposes and referred to herein as the "RFC" or "DPE's RFC"), as communicated to DPE via a letter to Mr. Walsh dated March 14, 2022, including but not limited to all documents which the EPA relied on in forming its decision to deny DPE's RFC, please provide copies of all documents, including but not limited to any and all reports, scientific studies, guidance documents, memoranda, communications, and correspondence, related to:

1. EPA's review and consideration of and/or related to the epidemiological studies by Marsh, GM; Youk, AO; Buchanich, JM; Cunningham, M; Esmen, NA; Hall, TA; Phillips, ML. (2007), Mortality patterns among industrial workers exposed to chloroprene and other substances: Mortality in relation to exposure. *Chem Biol Interact* 166: 301-316, and Marsh GM, Kruchten A, Buchanich JM. Mortality Patterns Among Industrial Workers Exposed to Chloroprene and Other Substances: Extended Follow-Up. *J Occup Environ Med*. 2021 Feb 1;63(2):126-138;
2. EPA's review and consideration of and/or related to the Louisiana Tumor Registry (LTR) and EPA's in its review of DPE's RFC;
3. EPA's review and consideration of and/or related to the Nagra, et al., report entitled, " 'Waiting to die': Toxic emissions and disease near the Denka Performance Elastomer neoprene facility in Louisiana's cancer alley," *Environmental Justice* 14: 14 – 32 (2021);
4. Any other epidemiological study, issue, or matter that EPA considered in its review of DPE's RFC; and
5. Any communications between EPA and any party outside of EPA, including any peer reviewer or potential peer reviewer, related to any of the studies, reports, or other matters mentioned above.

The time period covered by this request is July 1, 2020 to the present. Please provide all documents prepared or received by anyone at EPA, or that entered into EPA's possession, since July 1, 2020.

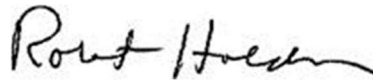
Should you have any questions concerning this request, please contact me at 504-582-8139 or via email at bholden@joneswalker.com.

Please acknowledge receipt of this letter by noting the date on which it was received on the enclosed copy of this letter and returning that copy to me in the enclosed self-addressed, postage-paid envelope. Thank you for your assistance.

Please do not hesitate to call if you have any questions.

Very truly yours,

Jones Walker LLP

A handwritten signature in black ink, appearing to read "Robert E. Holden". The signature is fluid and cursive, with the first name "Robert" and last name "Holden" clearly distinguishable.

By: Robert E. Holden, Partner
Attorney for Denka Performance Elastomer LLC

REH/kb
Encl.